



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Satoshi Yamamoto et al. Art Unit : Unknown
Serial No. : 09/823,829 Examiner : Unknown
Filed : March 30, 2001
Title : METHOD FOR IDENTIFICATION AND DETECTION OF
MICROORGANISMS USING GYRASE GENE AS AN INDICATOR

Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to examination, please amend the application as follows:

In the specification:

Replace the paragraph beginning at page 19, line 4 with the following rewritten paragraph:

-- ABSTRACT OF THE INVENTION

With the nucleotide sequence of *gyr B*, it is possible to classify or identify an unidentified microorganism strain quickly and accurately. Furthermore, PCR primers for monitoring a specific microorganism, which are needed in risk assessment in various bioprocesses, can be designed easily. Also, changes in mycelial tufts can be accurately monitored. --

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit June 26, 2001

Signature *Rose Papetti*

Rose Papetti
Typed or Printed Name of Person Signing Certificate

09823829 070001

REMARKS

An abstract has been identified on page 19 and edited to identify as such.

Attached is a marked-up version of the changes being made by the current amendment.

Applicant asks that all claims be examined.

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 26, 2001

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Version with markings to show changes made

In the specification:

Paragraph beginning at page 19, line 4 has been amended as follows:

[EFFECT] ABSTRACT OF THE INVENTION

With the nucleotide sequence of *gyr B* [determined by the present invention], it is possible to classify or identify an unidentified microorganism strain quickly and accurately. [Besides, according to the present invention,] Furthermore, PCR primers for monitoring a specific microorganism, which are needed in risk assessment in various bioprocesses, can be designed easily. Also, [the present invention enables highly accurate monitoring of] changes in mycelial tufts can be accurately monitored.



PH-58145-CIP
#5

Attorney's Docket No.: _____

DECLARATION, POWER OF ATTORNEY AND PETITION

I (We), the undersigned inventor(s), hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I (We) believe that I am (we are) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

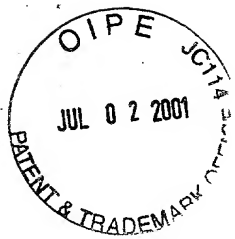
METHOD FOR IDENTIFICATION AND DETECTION OF MICROORGANISMS USING
GYRASE GENE AS AN INDICATOR

the specification of which

- ☐ is attached hereto.
- ☐ was filed on _____ as
Application Serial No. _____
and amended on _____.
- ☐ was filed as PCT international application
Number _____
on _____,
and was amended under PCT Article 19
on _____ (if applicable).

I (We) hereby state that I (We) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I (We) do not know and do not believe that this invention was ever known or used before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States for more than one year prior to this application; that this invention or discovery has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months before this application.

I (We) hereby claim the benefit under Section 120 of Title 35 United States Code, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Section 112 of Title 35 United States Code, I (We) acknowledge the duty to disclose material information as defined in Section 1.56(a) of Title 37 Code of Federal Regulations, which occurred between the filing date of the prior application and national or PCT international filing date of this application:



Status (pending,
patented,
abandoned)

Application Serial No.	Filing Date	Status (pending, patented, abandoned)
<u>09/208,688</u>	<u>December 10, 1998</u>	<u>Abandoned</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

And I (We) hereby appoint: Bing Ai, Registration No. 43,312; Richard J. Anderson, Registration No. 36,732; James W. Babineau, Registration No. 42,276; Joseph R. Baker, Registration No. 40,900; Ingrid A. Beattie, Registration No. 42,306; Robert M. Bedgood, Registration No. 43,488; Christine P. Bellon, Registration No. 41,611; William E. Booth, Registration No. 28,933; Samuel Borodach, Registration No. 38,388; Roger S. Borovoy, Registration No. 20,193; Charles J. Boudreau, Registration No. 42,350; John A. Burtis, Registration No. 39,924; Elizabeth Chien-Hale, Registration No. 44,077; Ruffin B. Cordell, Registration No. 33,487; John D. Cowart, Registration No. 38,415; Gary L. Creason, Registration No. 34,310; Lee Crews, Registration No. 43,567; Andrew T. D'Amico, Jr., Registration No. 33,375; Sean P. Daley, Registration No. 40,978; Peter J. Devlin, Registration No. 31,753; John A. Dragseth, Registration No. 42,497; William J. Egan, III, Registration No. 28,411; Mark S. Ellinger, Registration No. 34,812; Eldora L. Ellison, Registration No. 39,967; J. Peter Fasse, Registration No. 32,983; David L. Feigenbaum, Registration No. 30,378; Richard P. Ferrara, Registration No. 30,632; Stephan J. Filipek, Registration No. 33,384; J. Patrick Finn III, Registration No. 44,109; Janis K. Fraser, Registration No. 34,819; John W. Freeman, Registration No. 29,066; Timothy A. French, Registration No. 30,175; John J. Gagel, Registration No. 33,499; Edouard A. Garcia, Registration No. 38,461; Diane L. Gardner, Registration No. 36,518; Kurt L. Glitzenstein, Registration No. 39,686; David J. Goren, Registration No. 34,609; Robert A. Greenberg, Registration No. P-44,133; James A. Gromada, Registration No. P-44,727; H. Sanders Gwin, Jr., Registration No. 33,242; William D. Hare, Registration No. 32,030; Scott C. Harris, Registration No. 32,030; John F. Hayden, Registration No. 37,640; Mark J. Hebert, Registration No. 31,766; George E. Heibel, Registration No. 42,648; Gilbert H. Hennessey, Registration No. 25,759; Charles Hieken, Registration No. 18,411; Robert E. Hillman, Registration No. 22,837; William J. Hone, Registration No. 26,739; Shane H. Hunter, Registration No. 41,858; Allison A. Johnson, Registration No. 36,173; Mark D. Kirkland, Registration No. 40,048; Lawrence K. Kolodney, Registration No. 43,807; Linda Liu Kordziel, Registration No. 39,732; Phyllis K. Kristal, Registration No. 38,524; John Land, Registration No. 29,554; Celia H. Leber, Registration No. 33,524; G. Roger Lee, Registration No. 28,963; Samuel S. Lee, Registration No. 42,791; Monica L. Lewis, Registration No. 42,600; John T. Li, Registration No. 44,210; Ronald C. Lundquist, Registration No. 37,875; Stuart Macphail, Registration No. 44,217; Gregory A. Madera, Registration No. 28,878; Denis G.

09/208,688



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I(We) hereby request that all correspondence regarding this application be sent to the firm of FISH & RICHARDSON P.C. whose Post office address is: 45 Rockefeller Plaza, Suite 2800, New York, New York 10111 U.S.A.

I (We) declare further that all statements made herein of my (our) knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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